

**IN UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

KEN McDOWELL and JOSEPH COLLORA,)
individually and on behalf of those similarly)
situated,)
) No.: 1:22-cv-01688
Plaintiffs,)
) Honorable Franklin U. Valderrama
v.)
)
MCDONALD'S CORPORATION,)
)
Defendant.)

**JOINT MOTION FOR LEAVE
TO FILE OVERSIZED BRIEFS**

Plaintiffs KEN McDOWELL and JOSEPH COLLORA (“Plaintiffs”) and Defendant MCDONALD'S CORPORATION (“McDonald’s”) (collectively, “Parties”) respectfully move this Court, pursuant to Local Rule 7.1, for leave to file a briefs no longer than (30) pages in support of and in opposition to McDonald’s anticipated Motion to Dismiss. In support of this Motion, the Parties state as follows:

1. On June 17, 2022, the parties filed an Agreed Motion for Consolidation of Cases, Briefing Schedule, and Initial Status Conference (“Consolidation Motion”) (ECF No. 13). The Consolidation Motion requested that the Court consolidate *Collora v. McDonald's Corporation*, no. 1:22-cv-01904, with this instant case and set a single case schedule.
2. On June 23, 2022, the Court entered a Minute Order granting the Consolidation Motion (ECF No. 14).
3. On July 1, 2022, Plaintiffs filed their Consolidated Class Action Complaint (“Consolidated Complaint”) (ECF No. 18).

4. The Consolidated Complaint includes 259 paragraphs and 16 causes of action, raising a number of novel issues the Parties intend to brief, including standing and preemption.

5. Local Rule 7.1 requires prior approval of the Court before a party may file a supporting motion, memorandum, or brief that exceeds fifteen (15) pages, exclusive of the signature pages and attachments.

6. McDonald's seeks leave to file a brief in support of its anticipated Motion to Dismiss not to exceed thirty (30) pages, exclusive of the signature pages and attachments.

7. Plaintiffs seek leave to file an opposition brief to the anticipated Motion to Dismiss not to exceed thirty (30) pages, exclusive of the signature pages and attachments.

8. The Parties believe that thirty (30) pages each will be necessary for them to address the complex legal issues raised in the Consolidated Complaint.

9. Counsel for Parties conferred regarding the relief requested herein and all agreed to the relief sought by this Motion.

WHEREFORE, the Parties respectfully request that the Court grant their request for leave to file briefs no longer than thirty (30) pages, exclusive of the signature pages and attachments, in support of and in opposition to the Motion to Dismiss.

Dated: July 27, 2022

Respectfully submitted,

/s/ Trenton H. Norris

Trenton H. Norris
ARNOLD & PORTER KAYE SCHOLER LLP
3 Embarcadero Center, Ste. 1000
San Francisco, CA 94111-4024
Phone: (415) 471-3100
Fax: (415) 471-3400
Email: trent.norris@arnoldporter.com

Lori B. Leskin
ARNOLD & PORTER KAYE SCHOLER LLP
250 W. 55th Street

New York, NY 10019-9710
Phone: (212) 836-8000
Fax: (212) 836-8689
Email: lori.leskin@arnoldporter.com

Attorneys for Defendant McDonald's Corporation

Dated: July 27, 2022

**WOLF HALDENSTEIN ADLER
FREEMAN & HERZ LLC**

By: /s/ Carl V. Malmstrom
Carl V. Malmstrom
Carl V. Malmstrom
111 W. Jackson St., Suite 1700
Chicago, IL 60604
Telephone: (312) 984-0000
Fax: (212) 686-0114
Email: malmstrom@whafh.com

BURSOR & FISHER, P.A.

L. Timothy Fisher (*Pro Hac Vice* Forthcoming)
Sean L. Litteral (*Pro Hac Vice* Forthcoming)
Elvia M. Lopez (*Pro Hac Vice* Forthcoming)
1990 North California Boulevard, Suite 940
Walnut Creek, CA 94596
Telephone: (925) 300-4455
Facsimile: (925) 407-2700
Email: ltfisher@bursor.com
slitteral@bursor.com

BURSOR & FISHER, P.A.

Joshua D. Arisohn (*Pro Hac Vice* Forthcoming)
Alec M. Leslie (*Pro Hac Vice* Forthcoming)
888 Seventh Avenue
New York, NY 10019
Telephone: (646) 837-7150
Facsimile: (212) 989-9163
Email: jarisohn@bursor.com
aleslie@bursor.com

SHUB LAW FIRM LLC

Jonathan Shub
Kevin Laukaitis
134 Kings Hwy E., 2nd Fl.
Haddonfield, NJ 08033
T: (856) 772-7200

F: (856) 210-9088
klaukaitis@shublawyers.com
jshub@shublawyers.com

FREED KANNER LONDON & MILLEN LLC
Brian M. Hogan
2201 Waukegan Road, Suite 130
Bannockburn, IL 60015
Tel: (224) 632-4500
bhogan@fkmlaw.com

FREED KANNER LONDON & MILLEN LLC
Jonathan M. Jagher
FREED KANNER LONDON & MILLEN LLC
923 Fayette Street
Conshohocken, PA 19428
Tel: (610) 234-6487
jjagher@fkmlaw.com

Attorneys for Plaintiffs and the Putative Class

CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that the above filing was served upon counsel of record via the Court's CM/ECF electronic filing system on July 27, 2022.

/s/ Trenton H. Norris

Trenton H. Norris
ARNOLD & PORTER KAYE SCHOLER LLP
3 Embarcadero Center, Ste. 1000
San Francisco, CA 94111-4024 Phone:
(415) 471-3100
Fax: (415) 471-3400
Email: trent.norris@arnoldporter.com

Attorneys for Defendant McDonald's Corporation